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**EXHIBIT**

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
v. )  
JORGE MENDOZA , )  
 )  
Defendant. )

No. 10-CR-00822-DLJ

STIPULATION AND []  
ORDER CHANGING STATUS HEARING  
FROM JULY 19, 2012, AT 9:00 A.M TO  
AUGUST 23, 2012 AT 9:00 A.M. AND  
EXCLUDING TIME FROM JULY 19,  
2012 TO AUGUST 23, 2012

The defendant Jorge Mendoza, represented by Robert W. Lyons, Esq., and the government, represented by Thomas A. Colthurst, Assistant United States Attorney, currently have scheduled before this Court a status hearing on July 19, 2012, at 9:00 a.m. The parties request that the status hearing be rescheduled to August 23, 2012 at 9:00 a.m., and that a time exclusion order be issued that would exclude time under the Speedy Trial Act from July 19, 2012 to August 23, 2012, to permit the parties the reasonable time necessary for effective

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*US v. Mendoza*, 10-CR-00822-DLJ  
Stipulation and [] Order re Status Hearing

1 preparation and continuity of counsel.

2 DATED: July 16, 2012

MELINDA HAAG  
United States Attorney

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4 \_\_\_\_\_/s/  
5 Thomas A. Colthurst  
6 Assistant United States Attorney

7 \_\_\_\_\_/s/  
8 Robert W. Lyons, Esq.  
9 Counsel for Defendant JORGE MENDOZA

10 **ORDER**

11 Based upon the stipulation of the parties, and for good cause shown, IT IS HEREBY  
12 ORDERED THAT the status hearing in this case be rescheduled from July 19, 2012, at 9:00 a.m.  
13 to August 23, 2012 at 9:00 a.m.

14 Based upon the representation of counsel and for good cause shown, the Court finds that  
15 failing to exclude the time from July 19, 2012, through August 23, 2012, would unreasonably  
16 deny the defendant continuity of counsel and would deny counsel the reasonable time necessary  
17 for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. §  
18 3161(h)(7)(B)(iv). The Court further finds that the ends of justice served by excluding the time  
19 from July 19, 2012, through August 23, 2012, from computation under the Speedy Trial Act  
20 outweigh the best interests of the public and the defendant in a speedy trial.

21 Therefore, IT IS HEREBY FURTHER ORDERED that the time between July 19, 2012  
22 and August 23, 2012, shall be excluded from computation under the Speedy Trial Act. 18  
23 U.S.C. § 3161(h)(7)(A) and (B)(iv).

24 IT IS SO ORDERED.

25 DATED: ~~July 16~~ 2012

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THE HONORABLE D. LOWELL JENSEN  
Senior United States District Judge